Gazette of the United States
AND
EVENING ADVERTISER.

[No. 58 of Vol. V.] TUESDAY, February 18, 1794. [Whole No. 516.]

In the Supreme Court of the United States.

The State of Georgia,
vs.
Brailsford, Powell and Hopton.

THIS cause came before the Court under the following leading circumstances:

On the 20th of May 1782, the state of Georgia passed an act, in which, among other things, she confiscated the estates, and debts of persons, whose property had been confiscated in other states, in like manner and form of forfeiture, as they were subjected to in the states respectively, of which such persons were delinquent citizens: And, with respect to British merchants, or others residing in Great-Britain, it was declared, "that all debts dues and demands due or owing to them be and they are hereby sequestered, & the commissioners appointed by this act, or a majority of them are thereby empowered to recover receive and deposit the same in the Treasury of this state, in the same manner, and under the same regulations, as debts confiscated, there to remain to the use of this state, until otherwise appropriated by this or any future house of Assembly."

Brailsford was a British merchant, residing in Great-Britain; and Powell and Hopton, were delinquent citizens of South Carolina, whose estates had been confiscated in pursuance of an act of that state, passed on the 25th of February 1782, in the following terms; "that all the real estates either in possession, in reversion, or remainder of the several persons &c. shall be vested in 5 commissioners, and all the personal estates (debts excepted) of such persons &c. are hereby vested in the said commissioners &c."

In the year 1774 Kelsall and Spalding, citizens and merchants of the state of Georgia, had executed a bond for a considerable sum to Brailsford, Powell, and Hopton; upon which, after the war, a suit was instituted by the obligees against Spalding, the surviving partner, in the Circuit Court, for the district of Georgia, returnable to October term 1791. The defendant pleaded the above mentioned confiscation laws in bar of the present action; the Plaintiffs demurred to the plea, and the defendant joined in a demurrer: but at April term 1792. Judgment was given for the former by Judges Iredell and Pendleton. An application made by the state of Georgia, for admission to defend her rights in the suit instituted by Bralsford, Powell, and Hopton, being rejected, a bill was filed on her behalf, on the equity side of the Supreme Court of the United States, against all the parties to the suit below, representing her claim to the debt in question under the confiscation laws of Georgia and S. Carolina; and praying that an injunction might issue to prevent an execution being taken out on the judgement obtained by Brailsford, Powell, and Hopton, until the merits of that claim were heard and decided. After two arguments by Mr. Ingersoll and Mr. Dallas for the State, and Mr. Randolph for the defendants, the injunction was granted; and the present issue was joined, under the recommendation of the Court, to try the general question, whether the debt due from Spalding, and the right of action to recover it, now belonged to the state of Georgia, or to the original creditors?

On the 4th of Feb. 1794, a special jury was qualified to try the cause, which during four days, was argued by Mr. Ingersoll and Mr. Dallas for the state of Georgia, and by Mr. Bradford, Mr. Tilghman, and Mr. Lewis, for the defendants. As we understand that a full report of the record and the pleadings, is preparing for the press, we shall only add on this occasion, the charge of the Court, which was delivered by *Jay*, Chief Justice on the 7th of February in the following terms.

"Gentlemen of the Jury,

This Cause has been regarded, as of great importance; and doubtless it is so. It has accordingly been treated by the Counsel with great learning, diligence, and ability; and on your part, it has been heard with particular attention. It is, therefore, unnecessary for me to follow the investigation over the extensive field, into which it has been carried: You are now, if ever you can be, completely possessed of the merits of the cause.

The facts comprehended in the case, are agreed: the only point that remains, is to settle what is the law of the land arising from those facts; and on that point, it is proper, that the opinion of the Court should be given. It is fortunate on the present, as it must be on every occasion, to find the opinion of the Court unanimous: We entertain no diversity of sentiment; and we have experienced no difficulty in uniting in the charge, which it is my province to deliver.

We are then, Gentlemen, of opinion, that the debts due to Hopton and Powel, (who were citizens of S. C.) were not confiscated by the statute of S. Carolina: the same being therein expresly excepted: That those debts were not confiscated by the statute of Georgia, for that statute enacts, with respect to P. and H. precisely the like and no other degree and extent of confiscation and forfeiture with that of South Carolina. Wherefore it cannot now be necessary to decide, how far one state may of right legislate relative to the personal rights of citizens of another state, not residing within their jurisdiction.

We are, also, of opinion, that the debts due to Brailsford a British subject residing in G. Britain, were by the statute of Georgia subjected, not to confiscation, but only to sequestration; and, therefore that his right to recover them, revived at the peace, both by the law of nations and the treaty of peace.

The question of forfeiture in the case of joint obligees, being at present immaterial, need not now be decided.

It may not to be amiss here, Gentlemen, to remind you of the good old rule, that on questions of fact, it is the province of the Jury, on questions of law, it is the province of the Court, to decide. But it must be observed that by the same law, which recognizes this reasonable distribution of jurisdiction, you have nevertheless a right to take upon yourselves to judge of both, and to determine the law as well as the fact in controversy. On this, and on every other occasion, however, we have no doubt, you will pay that respect, which is due to the opinion of the Court: For, as on the one hand, it is presumed, that Juries are the best judges of facts; it is, on the other hand, presumeable, that the Court are the best judges of law. But still both objects are lawfully, within your power of decision.

Some stress has been laid on a consideration of the different situations of the parties to the Cause: The state of Georgia, sues three private persons. But what is it to justice, how many, or how few; how high, or how low; how rich, or how poor; the contending parties may chance to be? Justice is indiscriminately due to all, without regard to numbers, wealth or rank. Because to the state of Georgia, composed of many thousands of people, the litigated sum cannot be of great moment, you will not for this reason be justified, in deciding against her claim; if the money belongs to her, she ought to have it; but on the other hand, no consideration of the circumstances, or of the comparative insignificance of the defendants, can be a ground to deny them the advantage of a favorable verdict, if in justice they are entitled to it.

Go, then, Gentlemen from the Bar, without any impressions of favor or prejudice for the one party, or the other: weigh well the merits of the case; and do on this, as you ought to do on every occasion, equal and impartial justice."

The jury having been absent some time, returned to the bar, and proposed the following questions to the court.

I. Did the act of the state of Georgia, completely vest the debts of Brailsford, Powel and Hopton, in the state, at the time of passing the same?

II, If so, did the treaty of peace, or any other matter, revive the right of the defendants to the debt in controversy?

In answer to these questions, the chief justice stated, that it was intended in the general charge of the court, to comprise their sentiments upon the points now suggested; but as the jury entertained a doubt, the enquiry was perfectly right. On the first question, he said it was the unanimous opinion of the judges, that the act of the state of G. did not vest the debts of B. P. and H. in the state at the time of passing it. On the 2d question he said, that no sequestration divests the property in the thing sequestered; and, consequently, Brailsford at the peace, and, indeed, throughout the war, was the real owner of the debt. That it is true, the state of Georgia interposed with her legislative authority to prevent B's recovering the debt while the war continued, but, that the mere restoration of peace, as well as the very terms of the treaty, revived the right of action to recover the debt, the property of which had never in fact or law been taken from the defendants: And that if it were otherwise, the sequestration would certainly remain a lawful impediment to the recovering of a bona fide debt, due to a British creditor, in direct opposition to the 4th article of the treaty.

After this explanation, the jury, without going again from the bar, returned a *Verdict for the Defendants.*

CONGRESS.

House of Representatives.

January 27.

In committee of the whole on Mr. Madison's resolutions.

(Mr. Ames's Speech continued.)

A question remains respecting the state of our *navigation.* If we pay no regard to the regulations of foreign nations, and ask, whether this valuable branch of our industry and capital is in a distressed and sickly state, we shall find it is in a strong and flourishing condition. If the quantity of shipping was declining, if it was unimployed, even at low freight, I should say it must be sustained and encouraged. No such thing is asserted. Seamen's wages are high, freights are high, and American bottoms in full employment. But the complaint is, our vessels are not permitted to go to the British West-Indies. It is even affirmed that no civilized country treats us so illy in that respect. Spain and Portugal prohibit the traffic to their possessions, not only in our vessels, but in their own, which, according to the style of the resolutions, is worse treatment than we meet with from the British. It is also asserted, and on as bad ground, that our vessels are excluded from most of the British markets.

This is not true in any sense. We are admititted into the greater number of her ports, in our own vessels: and by far the greater value of our exports is sold in British ports into which our vessels are received, not only on a good footing, compared with other foreigners, but on terms of positive favor—on better terms than British vessels are admitted into our own ports. We are not subject to the alien duties, & the light money &c. of 1/9 sterling per ton, is less than our foreign tonnage, not to mention the ten per cent. on the duties on the goods in foreign bottoms.

But in the port of London our vessels are received free. It is for the unprejudiced mind to compare these facts with the assertions we have heard so confidently and so feelingly made by the mover of the resolutions—that we are excluded from most of the British ports, and that no civilized nation treats our vessels so illy.

The tonnage of the vessels employed between Great Britain and her dependencies and the United States is called 220,000, and the whole of this is represented as our just right. The same gentleman speaks of our natural right to the carriage of our own articles, and that we may and ought to insist upon our equitable share. Yet, soon after, he uses the language of monopoly, and represents the whole carriage of imports and exports as the proper object of our efforts, and all that others carry as a clear loss to America. If an equitable share of the carriage means half, we have it already, and more, and our proportion is rapidly increasing. If any thing is meant by the natural right of carriage, one would imagine that it belongs to him whoever he may be, who having bought our produce, and made himself the owner, thinks proper to take it with him to his own country. It is neither our policy nor our design to check the sale of our produce; we invite every description of purchasers, because we expect to sell dearest when the number and competition of the buyers is the greatest. For this reason the total exclusion of foreigners and their vessels from the purchase and carriage of our exports is an advantage, in respect to navigation, which has disadvantage to balance it, in respect to the price of produce. It is with this reserve we ought to receive the remark, that the carriage of our exports should be our object rather than that of our imports. By going with our vessels into foreign ports we buy our imports in the best market. By giving a steady and moderate encouragement to our own shipping, without pretending violently to interrupt the course of business, experience will soon establish that order of things which is most beneficial to the exporter the importer and the ship owner. The best interest of agriculture is the true interest of trade.

In a trade mutually beneficial it is strangely absurd to consider the gain of others as our loss. Admitting it however for argument sake, yet, it should be noticed that the loss of 220,000 tons of shipping is computed according to the apparent tonnage. Our vessels not being allowed to go to the British West-Indies and their vessels making frequent voyages, appear in the entries over and over again. In the trade to the European dominions of Great Britain, the distance being greater, our vessels are not so often entered. Both these circumstances give a false shew to the amount of British tonnage, compared with the American. It is however very pleasing to the mind to see that our tonnage exceeds the British in the European trade. For various reasons, some of which will be mentioned hereafter, the tonnage in the West-India trade is not the proper subject of calculation. In the European comparison, we have more tonnage in the British than in the French commerce—it is indeed more than four to one.

The great quantity of British tonnage, employed in our trade, is also, in a great measure, owing to the large capitals of their merchants, employed in the buying and exporting our productions. If we would banish the ships, we must strike at the root and banish the capital. And this, before we have capital of our own grown up to replace it, would be an operation of no little violence and injury, to our southern brethren especially.

Independently of this circumstance, Great-Britain is an active and intelligent rival in the navigation line. Her ships are dearer, and the provisioning her sea-

men is perhaps rather dearer than ours, on the other hand, the rate of intereſt is lower in England and ſo are ſeamen's wages. It would be improper, therefore, to conſider the amount of Britiſh tonnage in our trade, as a proof of a bad ſtate of things, ariſing either from the reſtrictions of that government, or the negligence or timidity of this. We are to charge it to cauſes which are more connected with the natural competition of capital and induſtry, cauſes which in fact retarded the growth of our ſhipping more when we were colonies and our ſhips were free than ſince the adoption of the preſent government.

It has been ſaid, with emphaſis, that the conſtitution grew out of the complaints of the nation reſpecting commerce eſpecially that with the Britiſh dominions. What was then lamented by our patriots? Feebleneſs of the public counſels, the ſhadow of union, and ſcarce the ſhadow of public credit, every where deſpondence, the preſſure of evils, not only great, but portentous of civil diſtractions. Theſe were the grievances and what more was then deſired than their remedies? Is it poſſible to ſurvey this proſperous country, and to aſſert that they have been delayed? Trade flouriſhes on our wharves, although it droops in ſpeeches; manufactures have riſen under the ſhade of protecting duties from almoſt nothing, to ſuch a ſtate, that we are even told it is ſafe to depend on the domeſtic ſupply, if the foreign ſhould ceaſe. The fiſheries, which we found in decline, are in the moſt vigorous growth; the whale fiſhery, which our allies would have transferred to Dunkirk, now traverſes the whole orean. To that hardy race of men, the ſea is but a park for hunting its monſters; ſuch is their activity, the deepeſt abyſſes ſcarcely afford to their prey an hiding place. Look round, and ſee how the frontier circle widens, how the interior improves, and let it be repeated, that the hopes of the people, when they formed this conſtitution, have been fruſtrated.

But if it ſhould happen that our prejudices prove ſtronger than our ſenſes, if it ſhould be believed that our farmers and merchants ſee their products and ſhips and wharves going to decay together, and they are ignorant or ſilent on their own ruin—ſtill the public documents would not diſcloſe ſo alarming a ſtate of our affairs. Our imports are obtained ſo plentifully and cheaply that one of the avowed objects of the reſolutions is, to make them ſcarcer and dearer. Our exports, ſo far from languiſhing, have increaſed two millions of dollars in a year. Our navigation is found to be augmented beyond the moſt ſanguine expectation.—We hear of the vaſt advantage the Engliſh derive from the navigation act, and we are aſked in a tone of accuſation, ſhall we ſit ſtill, and do nothing? Who is bold enough to ſay, Congreſs has done nothing for the encouragement of American navigation? To counteract the navigation act, we have laid on Britiſh a higher tonnage than our own veſſels pay in their ports—and what is much more effectual we have impoſed ten per cent. on the duties, when the dutied articles are borne in foreign bottoms. We have alſo made the coaſting-trade a monopoly to our own veſſels. Let thoſe who have aſſerted that this is nothing, compare facts with the regulations which produced them.

Tonnage.	*Tons.*	*Exceſs of*
American 1789	297,468	*American*
Foreign	265,116	*tonnage.*
		32,352
American 1790	347,663	
Foreign	258,916	
		88,747
American 1791	363,810	
Foreign	240,799	
		123,011
American 1792	415,331	
Foreign	244,263	
		171,067

Is not this increaſe of American ſhipping rapid enough? Many perſons ſay it is too rapid, and attracts too much capital for the circumſtances of the country. I cannot readily perſuade myſelf to think ſo valuable a branch of employment thrives too faſt. But a ſteady and ſure encouragement is more to be relied on than violent methods of forcing its growth. It is not clear that the quantity of our navigation, including our coaſting and fiſhing veſſels is leſs, in proportion to thoſe of that nation. In that computation, we ſhall probably find, that we are already more a navigating people than the Engliſh.

As this is a growing country, we have the moſt ſtable ground of dependence on the correſponding growth of our navigation: and that the increaſing demand for ſhipping will rather fall to the ſhare of Americans than foreigners is not to be denied. We did expect this from the nature of our own laws—we have been confirmed in it by experience—and we know that an American bottom is actually preferred to a foreign one. In caſes where one partner is an American and another a foreigner, the ſhip is made an American bottom. A fact of this kind overthrows a whole theory of reaſoning on the neceſſity of further reſtrictions. It ſhows that the work of reſtriction is already done.

If we take the aggregate view of our commercial intereſts, we ſhall find much more occaſion for ſatisfaction, & even exultation, than complaint, & none for deſpondence. It would be too bold to ſay that our condition is ſo eligible there is nothing to be wiſhed. Neither the order of nature nor the allotments of Providence afford perfect content, and it would be abſurd to expect in our politics what is denied in the laws of our being. The nations with whom we have intercourſe have, without exception, more or leſs reſtricted their commerce. They have framed their regulations to ſuit their real or fancied intereſts. The code of France is as full of reſtrictions as that of England. We have regulations of our own, and they are unlike thoſe of any other country—inaſmuch as the intereſts and circumſtances of nations vary ſo eſſentially, the project of an exact reciprocity on our part is a viſion. What we deſire is to have not an exact reciprocity, but an intercourſe of mutual benefit and convenience—It has ſcarcely been ſo much as inſinuated that the change contemplated will be a profitable one—that it will enable us to ſell dearer and to buy cheaper—on the contrary, we are invited to ſubmit to the hazards and loſſes of a conflict with our cuſtomers—to engage in a conteſt of ſelf-denial. For what—to obtain better markets? no ſuch thing—But to ſhut up, forever, if poſſible, the beſt market we have for our exports, and to confine ourſelves to the deareſt and ſcarceſt markets for our imports. And this to be done for the benefit of trade, or as it is ſometimes more correctly ſaid for the benefit of France. This language is not a little inconſiſtent and ſtrange from thoſe who recommend a non-importation agreement and who think we ſhould even renounce the ſea and devote ourſelves to agriculture. Thus to make our trade more free it is be embarraſſed and violently ſhifted from one country to another, not according to the intereſt of the merchants, but the viſionary theories and capricious raſhneſs of the legiſlators.—To make trade better it is to be made nothing.

So far as commerce and navigation are regarded, the pretences for this conteſt are confined to two. We are not allowed to carry manufactured articles to Great-Britain, nor any products, except of our own growth; and we are not permitted to go, with our own veſſels, to the Weſt-Indies. The former, which is a proviſion of the navigation act, is of little importance to our intereſts, as our trade is chiefly a direct one, our ſhipping not being equal to the carrying for other nations, and our manufactured articles are not permitted in quantities for exportation, and, if they were, Great-Britain would not be a cuſtomer. So far therefore the reſtriction is rather nominal than real.

The excluſion of our veſſels from the Weſt-Indies is of more importance. When we propoſe to make an effort to force a privilege from Great-Britain, which ſhe is loth to yield to us, it is neceſſary to compoſe the value of the object with the effort, and, above all, to calculate very warily the probability of ſucceſs. A trivial thing deſerves not a great exertion; much leſs ought we to ſtake a very great good in poſſeſſion for a ſlight chance of a leſs good. The carriage of one half the exports and imports to and from the Britiſh Weſt-Indies is the object to be contended for. Our whole exports to Great-Britain are to be hazarded. We ſell on terms of privilege and poſitive favor, as it has been abundantly ſhewn, near ſeven millions to the dominions of Great-Britain. We are to riſk the privilege in this great amount—For what. For the freight only of one half the B. Weſt-India trade with the U. States. It belongs to commercial men to calculate the entire value of the freight alluded to. But it cannot bear much proportion to the amount of ſeven millions. Beſides, if we are denied the privilege of carrying our articles is our veſſels to the iſlands, we are on a footing of privilege in the ſale of them. We have one privilege if not two. It is readily admitted that it is a deſirable thing to have our veſſels allowed to go the Engliſh iſlands, but the value of the object has it's limits; and we go unqueſtionably beyond them, when we throw our whole exports into confuſion and run the riſk of looſing our beſt markets, for the ſake of forcing a permiſſion to carry our own products to one of thoſe markets; in which too, it ſhould be noticed, we ſell much leſs than we do to Great-Britain herſelf—If to this we add, that the ſucceſs of the conteſt is grounded on ſanguine and paſſionate hypotheſis of our being able to ſtarve the iſlanders, which on trial, may prove falſe, and which our being involved in the war would overthrow at once, we may conclude, without going further into the diſcuſſion, that prudence forbids our engaging in the hazards of a commercial war; that great things ſhould not be ſtated againſt ſuch as are of much leſs value; that what we poſſeſs ſhould not be riſked for what we deſire without great odds in our favor; ſtill leſs if the chance is infinitely againſt us.

If theſe conſiderations ſhould fail of their effect, it will be neceſſary to go into an examination of the tendency of the ſyſtem of diſcrimination to redreſs and avenge all our wrongs, and to realize all our hopes.

It has been avowed, that we are to look to France, not to England, for advantages in trade; we are to ſhew our ſpirit, aud to manifeſt towards thoſe who are called enemies, the ſpirit of enmity, and towards thoſe we call friends ſomething more than paſſive good will—We are to take active meaſures to force trade out of it's accuſtomed channels, and to ſhift it by ſuch means from England to France. The care of the concerns of the French manufacturers may be left perhaps as well in the hands of the Convention as to be uſurped into our own. However our zeal might engage us to interpoſe, our duty to our own immediate conſtituents demands all our attention. To volunteer it, in order to excite competition in one foreign nation to ſupplant another, is a very ſtrange buſineſs; and to do it, as it has been irreſiſtably proved it will happen, at the charge and coſt of our own citizens, is a thing equally beyond all juſtification and all example. What is it but to tax our own people for a time, perhaps for a long time, in order that the French may at laſt ſell as cheap as the Engliſh—cheaper they cannot, nor is it ſo much as pretended. The tax will be a loſs to us, and the fancied tendency of it not again to this country in the event, but to France—We ſhall pay more for a time, and in the end pay no leſs; for no object but that of one nation may receive our money inſtead of the other: If this is generous towards France, it is not juſt to America. It is ſacrificing what we owe to our conſtituents to what we pretend to feel towards ſtrangers. We have indeed heard a very ardent profeſſion of gratitude to that nation, and infinite reliance ſeems to be placed on her readineſs to ſacrifice her intereſt to ours. The ſtory of this generous ſtrife ſhould be left to ornament fiction. This is not the form nor the occaſion to diſcharge our obligations of any ſort to any foreign nation—it concerns not our feelings but our intereſts yet the debate has often ſoared high above the ſmoke of buſineſs into the epic region. The market for tobacco, tar, turpentine and pitch has become matter of ſentiment, and given occaſion alternately to rouſe our courage and our gratitude.

If inſtead if hexameters, we prefer diſcuſſing our relation to foreign actions in the common language, we ſhall not find that we are bound by treaty to eſtabliſh a preference in favor of the French. The treaty is founded on a profeſſed reciprocity—favor for favor—why is the principle of treaty or no treaty made ſo eſſential, when the favor we are going to give is an act of ſupererogation. It is not expected by one of the nations in treaty: for Holland has declared in her treaty with us, that ſuch preferences are the fruitful ſource of animoſity, embarraſſment and war. The French have ſet no ſuch example. They diſcriminate, in their late navigation act, not as we are exhorted to do between nations in treaty and not in treaty, but between nations at war and not at war with them ſo that when peace takes place, England will ſtand by that act on the ſame ground with ourſelves. Mr. Ames proceeded to ſhew that if we expect by giving favor to get favor in return, it is improper to make a law. The buſineſs belongs to the executive in whoſe hands the conſtitution has placed the power of dealing with foreign nations. He noticed it's ſingularity to negotiate legiſlatively—to make by a law half a bargain, expecting a French law would make the other. He remarked that the footing, of treaty or no treaty, was different from the ground taken by the mover himſelf in ſupporting his ſyſtem. He had ſaid favor for favor was principle. Nations not in treaty grant favors—thoſe in treaty reſtrict our trade. Yet the principle of diſcriminating in favor of nations in treaty was not only inconſiſtent with the declared doctrine of the mover and with facts, but it is inconſiſtent with itſelf. Nations not in treaty are ſo very unequally operated upon by the reſolutions it is abſurd to refer them to one principle. Spain and Portugal have no treaties with us, and are not diſpoſed to have——Spain would not accede to the treaty of commerce between us and France, though ſhe was invited—Portugal would not ſign a treaty after it had been diſcuſſed and ſigned on our part. They have few ſhips or manufactures and do not feed their colonies from us; of courſe there is little for the diſcrimination to operate upon. The operation on nations in treaty is equally a ſatire on the principle of diſcrimination. Sweden, with whom we have a treaty, duties rice higher if borne in our bottoms, than in her own. France does the like, in reſpect to tobacco two and half livres the quintal, which in effect prohibits our veſſels to freight tobacco, as the duty is more than the freight. He then remarked on the French navigation act, the information of which had been given to the houſe ſince the debate began. He ſaid the mover had, ſomewhat unluckily, propoſed to except from this ſyſtem nations having no navigation acts, in which caſe France would become the ſubject of unfriendly diſcrimination as well as Great-Britain.

He remarked on the diſpoſition of England to ſettle a commercial treaty, and adverted to the known deſire of the Marquis of Lannſdowne (then prime miniſter) in 1783, to form ſuch an one on the moſt liberal principles. The hiſtory of that buſineſs and the cauſes which prevented it's concluſion ought to be made known to the public. The powers given to our miniſters were revoked, and yet we hear that no ſuch diſpoſition on the part of Great-Britain has exiſted. The declaration of Mr. Pitt in parliament, in June, 1792, as well as the correſpondence with Mr. Hammond, ſhew a deſire to enter upon a negociation. The ſtatement of the report on the privileges and reſtrictions of our commerce, that Great-Britain has ſhewn no inclination to meddle with the ſubject ſeems to be incorrect.

After tracing the operation of the reſolutions on different nations, he examined the ſuppoſed tendency to diſpoſe Great-Britain to ſettle an equitable treaty with this country. He aſked whether thoſe who held ſuch language towards that nation as he heard could be ſuppoſed to deſire a treaty and friendly connection. It ſeemed to be thought a merit to expreſs hatred—it is common and natural to deſire to annoy and to cruſh thoſe whom we hate, but it is ſomewhat ſingular to pretend that the deſign of our anger is to embrace them.

The tendency of angry meaſures to friendly diſpoſitions and arrangements is not obvious. We affect to believe that we ſhall quarrel ourſelves into their good will. We ſhall beat a new path to peace and friendſhip with Great-Britain, one that is grown up with thorns and lined with men-traps and ſpring-guns It ſhould be called the war path.

To do juſtice to the ſubject its promiſed advantages ſhould be examined. Exciting the competition of the French is to prove an advantage to this country, by opening a new market with that nation. This is ſcarcely intelligible. If it means any thing, it is an admiſſion that their market is not a good one, or that they have not taken meaſures to favor our traffic with them. In either caſe our ſyſtem is abſurd. The balance of trade is againſt us and in favor of England. But the reſolutions can only aggravate that evil, for, by compelling us to buy dearer and ſell cheaper, the balance will be turned ſtill more againſt our country. Neither is the ſupply from France leſs the aliment of luxury than that from England. The exceſs of credit is an evil which we pretend to cure by checking the natural growth of our own capital, which is the undoubted tendency of reſtraining trade, the progreſs of the remedy is delayed. If we will trade, there muſt be capital. It is beſt to have it of our own, if we have it not we muſt depend on credit. Wealth ſprings from the profits of employment, & the beſt writers on the ſubject eſtabliſh it, that employment is in proportion to the capital that is to excite and reward it. To ſtrike off credit, which is the ſubſtitute for capital, if it were poſſible to do it would ſo far ſtop employment. Fortunately it is not poſſible; the activity of individual induſtry eludes the miſ-judging power of governments. The reſolutions would in effect increaſe the demand for credit, as our products ſelling for leſs in a new market, and our imports being bought dearer, there would be leſs money and more need of it. Neceſſity would produce credit. Where the laws are ſtrict it will ſoon find its proper level, the uſes of credit will remain and the evil will diſappear.

But the whole theory of balances of trade, of helping it by reſtraint, and protecting it by ſyſtems of prohibition and reſtriction againſt foreign nations, as well as the remedy for credit, are among the exploded dogmas which are equally refuted by the maxims of ſcience and the authority of time. Many ſuch topics have been advanced which were known to exiſt as prejudices, but were not expected as arguments. It ſeems to be believed that the liberty of commerce is of ſome value. Although there are reſtrictions on one ſide, there will be ſome liberty left, counter reſtrictions, by diminiſhing that liberty are in their nature aggravations and not remedies. We complain of the Britiſh reſtrictions as of a milſtone—our own ſyſtem will be another, ſo that our trade may hope to be ſituated between the upper and the nether milliſtone.

On the whole, the reſolutions contain two great principles. To control trade by law, inſtead of leaving it to the better management of the merchants, and the principle of a ſumptuary law. To play the tyrant in the compting houſe, and in directing the private expences of our citizens, are employments equally unworthy of diſcuſſion.

Beſides the advantages of the ſyſtem, we have been called to another view of it, and which ſeems to have leſs connection with the merits of the diſcuſſion. The acts of ſtates and the votes of public bodies before the conſtitution was adopted, and the votes of the houſe ſince, have been ſtated as grounds for our aſſent to this meaſure at this time. To help our own trade, to repel any real or ſuppoſed attack upon it, cannot fail to prepoſſeſs the mind, accordingly the firſt feelings of every man yield to this propoſition. But the ſober judgment on the tendency and reaſonableneſs of the intermeddling of government often does, and probably ought ſtill oftener to change our impreſſions. On a ſecond view of the queſtion, the man who voted formerly for reſtrictions may ſay—much has been done under the new conſtitution and the good effects are yet making progreſs. The neceſſity of meaſures of counter reſtriction will appear to him muuh leſs urgent, and their efficacy in the preſent turbulent ſtate of Europe infinitely leſs to be relied on. Far from being inconſiſtent in his conduct, conſiſtency will forbid his preſſing the experiment of his principle under circumſtances which baffle the hopes of its ſucceſs. But if ſo much ſtreſs is laid on former opinions in favor of this meaſure, how happens it that there is ſo little on that which now appears againſt it. Notone mechant has ſpoke in favor of it in this body; not one navigating or commercial ſtate has patroniſed it.

Mr. Ames then entered pretty fully into the conſideration of the abſolute dependence of the Britiſh Weſt-India iſlands on our ſupplies. He admitted that they cannot draw them ſo well, and ſo cheap from any other quarter; but this is not the point. Are they phyſically dependent. Can we ſtarve them, and may we reaſonably expect theſe to dictate to Great-Britain a free admiſſion of our veſſels into her iſlands. He went into details to prove the negative. Beef and pork ſent from the now United States to the Britiſh Weſt-Indies, 1773, 14,993 barrels. In the war time, 1780, ditto from England, 17,795. At the end of the war, 1783, 16,526.—Ireland exported on an average of ſeven years prior to 1777, 250,000 barrels. Salted fiſh the Engliſh take in abundance, and prohibit it from us. Butter and cheeſe from England and Ireland are but lately baniſhed even from our markets. Exports from the now United States—1773, horſes 2768—cattle 1203—ſheep and hogs 5,320. Twenty-two years prior to 1791, were exported from England to all ports, 29,131 horſes. Ireland on an average of ſeven years to 1777, exported 4c 4c live-ſtock excluſive of hogs. The coaſt of Barbary, the Cape de Verds, &c. ſupply ſheep and cattle The iſlands ſince the war, have increaſed their domeſtic ſupplies to a great degree.

The now United States exported about 13,000 barrels of flour in 1773 to the Weſt-Indies, Ireland by grazing leſs could ſupply wheat—England itſelf uſually exports it, the alio imports from Archangel, Sicily and the Barbary ſtates furniſh wheat in abundance. We are deceived when we fancy we can ſtarve foreign countries. France is reckoned to conſume grain at the rate of ſeven buſhels to each ſoul. Twenty-ſix millions of ſouls the quantity 182 millions buſhels—We expert to ſpeak in round numbers five or ſix millions buſhels to all the different countries which we ſupply, a trifle this to their wants. Frugality is a greater recourſe. Inſtead of ſeven buſhels perhaps two could be ſaved by ſtinting the conſumption of the food of cattle or by the uſe of other food. Two buſhels ſaved to each ſoul is fifty-two millions of buſhels, a quantity which the whole trading world perhaps could not furniſh. Rice is ſaid to be prohibited by Spain and Portugal to favor their own. Braſil could ſupply their rice inſtead of ours. Lumber—he ſtated the danger of deſpiſing Canada and Nova-Scotia too much as rivals in the Weſt-India ſupply, eſpecially the former. The dependence the Engliſh had placed on them ſome years ago had failed, partly becauſe we entered into competition with them on very ſuperior terms; and partly becauſe they were then in an infant ſtate. They are now ſuppoſed to have conſiderably more than doubled their numbers ſince the peace, and if inſtead of having us for competitors for the ſupply as before, we ſhould ſhut ourſelves out by refuſing our ſupplies or being refuſed entry for them, thoſe two colonies would riſe from the ground, at leaſt we ſhould do more to bring it about than the Engliſh miniſtry had been able to do. In 1772, 679 veſſels, the actual tonnage of which was 128,000, were employed in the Weſt-India trade. They were ſuppoſed on good ground to be but half freighted to the iſlands; they might carry lumber, and the freight ſuppoſed to be deficient would be at 40ſ. ſterling the ton, £. 128,000 ſterling. This ſum would diminiſh the extra charge of carrying lumber to the iſlands. But is lumber to be had? Yes, in Germany, and from the Baltic. It is even cheaper in Europe than our own. Beſides which, the hard woods uſed in mills are abundant in the iſlands. We are told they can ſell their rum only to the United States. This concerns not their ſubſiſtence but their profit. Examine it however. In 1773, the now United States took near three million gallons rum. The remaining Britiſh colonies, Newfoundland and the African coaſt have a conſiderable demand for this article. The demand of Ireland is very much on the increaſe. It was in 1763, 530,000 gallons; 1770, 1,558,000 gallons; 1778, 1,729,000 gallons.

(To be concluded in our next.)

PHILADELPHIA,

FEBRUARY 18.

THEATRICALS.

Laſt evening the NEW THEATRE was opened with that much admired comic opera *The Caſtle of Andaluſia*, and the after piece *Who's the Dupe*.

It was well for thoſe who "took time by the forelock," numbers finding it impoſſible to gain admittance, the croud was ſo great: the novelty of a New Theatre attracted many who were not perhaps its beſt wiſhers; but prejudice ſoon gave way, and univerſal ſatisfaction appeared in every countenance.

The manner in which this truly elegant theatre is laid out, merits the higheſt approbation. Nothing has been neglected for the accommodation of the Lovers of the Drama; every advantage having been taken in what may be termed 'the appropriation of ſpace;' the boxes and galleries are ranged in the form of a creſcent. Every individual has an equal view of the ſtage without incommoding each other—an inconvenience ſo much complained of from the quadrangles of old theatres. The houſe was brilliantly lighted—patent lamps formed the ſcot-lights, and ſpermaceti candles the reſidue. The '*tout enſemble*' exhibited a charming '*Coup d'ail.*'

Wignell the leading manager, has done juſtice to his arduous miſſion—like the good Huſbandman of old, he has picked up the Ears and left the Tares; for a more choice and reſpectable Company, in public or private walk, never appeared on Theatrical Boards—May he enjoy the fruits of his induſtry, 'ſoul ſweetning praiſe,' and the gratulations of the public.

The preſent limits only permit a hint, relative to the reſpective performers—Mrs. Warrel ſung delightfully—Mrs. Marſhall did ample juſtice, to what Fame had anticipated—Miſs Broadhurſt, the charming little Syren, electrified the gods, and was deſervedly encored—Mr. Darley, as a baſs ſinger, ſtands unrivalled—his Tones vibrated thro' every paſſage of the Theatre—Mr. Marſhall has long ſtood without a competitor—his acting, and his ſinging, added to his graceful action, was inimitable.—We ſaw with pleaſure, our old favorite Wignell, in a new character, he was every thing that one could wiſh, in Don Spado—Mr. Morton was very reſpectable, as a young candidate on the Stage—Mr. Francis would have pleaſed better, had he omitted looking at his feet, after his metamorphoſis; he is a reſpectable actor, and ever ready to profit by a hint.

The late hour the play finiſhed, prevents us ſaying any thing of the merits of the after piece—we wiſh the managers to attend to this hint, as ſuch late hours not only mar the pleaſures of the evening, but are inconvenient to many.

In the General Advertiſer of Saturday, we were favored with the following paragraphs.

"The friends of the French now deprecate the reſentment of France, and ſhould that Republic become hoſtile, we are left ALONE to encounter with every power in Europe."

"The friends of the French know, that this country muſt finally *depend* on the friendſhip of France, for the maintenance of our Liberties and commerce, every American, therefore, that is a friend to our future happineſs muſt wiſh Succeſs to the Republic of France."

"By uniting with that Republic we ſtand, by dividing with them we fall."

On reading the foregoing with attention, I was ſtruck with ſurprize, and concluded in my own mind, that taking the paragraphs in the latitude in which they are expreſſed, they could not be the ſentiments of a real American freeman, but of ſome perſon in the pay and under the influence of a foreign nation.

To wiſh that the Republic of France may be able to maintain its liberty, is one thing, but ſhall the free ſons of Columbia *fear its reſentments*, and for that reaſon make the ſhedding of blood by the *Guillotine*, a common cauſe?

If I could ſuppoſe it was either true in fact, or that it was a prevailing ſentiment among our citizens, that "we muſt *depend*" on any power on earth "for the maintainance of our liberty;" I would ſay, America was no longer free, and diſown my country forever.

I am apt to believe however, that a certain party will not thank the writer, for the above diſcloſure of their ſentiments.

February 17.

"ISABELLA, or the FATAL MARRIAGE" and "ROSINA or the REAPERS," were announced for To-Morrow evening, at the New Theatre.

Extract of a letter from Liſbon, dated October 26, 1793.

"An affair has happened at Genoa, between a French national frigate lying there, and a cutter ſent by Lord Hood, under the King's white flag (Louis 17th) that may occaſion at once that Republic either to declare for France or England, for the frigate ſeized the Captain of the cutter and ſtrangled him. On information, an Engliſh line of battle was ſent into the port, and the French frigate captured. The Genoeſe have complained of this laſt affair, and the Engliſh miniſter has publiſhed a manifeſto, ſetting forth partial conduct of the Genoeſe, and it is ſaid, inſiſts on their declaring on one ſide or the other in 8 days—In ſhort, this war, before it is finiſhed, we are afraid, will involve all the European powers. We ſincerely hope a good underſtanding may ever remain between Great-Britain and America, as it will be dreadful to both, if a rupture ſhould take place.—P. S. Juſt now the Engliſh convoy has arrived, and a part of the Dutch, and it is reported there are between 30 and 40 veſſels with wheat and flour, ſo that for the preſent, we ſhall have an abundant ſupply."

APPOINTMENT.

The Hon. Thomas Smith, Eſq. (late Preſident of the 4th diſtrict, comprehending the counties of Cumberland, Bedford, Franklin, Huntingdon and Mifflin) is appointed by the Governor an Aſſociate Judge of the Supreme Court; *vice*, the Hon. William Bradford, Eſq. (now) Attorney-General of the United States.

By this Day's Mail.

BOSTON, February 8.

There is a report in town, that the letters of the recal of Mr. Genet, have arrived at the ſeat of government; and it has been ſuggeſted, but from what ſource we have not been able to learn, that M. Le Tombe, late Conſul for the Northern States, will ſucceed him.

On Thurſday laſt, Prince Edward, ſon of his Britannic Majeſty, arrived in this town from Quebec. We are told that his Highneſs has lately been promoted to the rank of Brigadier-General, and is to have a command in the army in the Weſt-Indies.

From the anxiety to obtain Tickets for Monday Evening's elegant Entertainment, we anticipate a full houſe; and we learn, that a diſtinguiſhed character, now in town, will be preſent at the Theatre—in which we are ſure he will ſee a maſter-piece of elegant workmanſhip, art, and execution, a brilliant and liberal audience, and we doubt not, a performance worthy both the audience and the dome.

NEW-YORK, Feb. 17.

From the DIARY of Saturday.

The Ship Favorite capt. Story, arrived here this morning, in 50 days from Amſterdam: He informs us, that a paſſenger on board another veſſel bound to this place, had before they ſailed, received a printed paper, the date of which he does not remember, containing an account that the French army had retaken Toulon, between the middle and end of November. The Favorite left the Texel the 22d. of December, having lain there ſeveral days waiting for wind. We have received Amſterdam papers of the 9th. 10th, 11th and 12th. of the ſame month, which mention nothing of the taking of Toulon, the following particulars are tranſlated

Several accounts in the Haerlem papers, of the 10th and 11th. December, mention, that a ſevere action took place between the French and Pruſſian armies, on the 29th and 30th November, near Lautern and Erlenberch—that there were three Saxon Battalions cut to pieces on the firſt day; General Kalkreuth was mortally wounded and afterwards carried to Frankfort; and Major Hirchfeld, Aid to the Duke of Brunſwick, was killed. It is ſaid that General Khieſt was killed. That the Pruſſian military cheſt, after the battle, was removed to Laudenburg, to remain there till further orders; the reaſon was, they expected a third attack from the French.

They ſuppoſe the loſs of the French to be 11,000 men; that the combined armies had alſo loſt conſiderable numbers, under Hohenloe 7000, and the Duke of Brunſwick 4000, &c.

No official confirmation is yet received of Lord Howe's having captured any of the French fleet, but that the French had eſcaped.

PRICE OF STOCKS.

6 per cents,	18/2	
3 ditto,	10/1	
Deferred,	11/1	
U. S. Bank,	12	per cent. adv.
Pennſylvania ds.	10 ditto	ditto.

The Poſt Office buſineſs engaged the attention of the Houſe of Repreſentatives this day—Progreſs reported.

A Madrid paper of the 20th Dec. received by the ſhip Adriana from Bilboa, contains a lengthy account of a ſortie made by the allied forces at Toulon on the 30th of November—the object of which was to take a fort in the neighborhood—from which the French annoyed the allied poſts.—The allies were ſucceſsful in carrying the fort, but while their troops were engaged in plundering the French camp, they were attacked, and after ſpiking the cannon, obliged to abandon their conqueſt, and retreat back again. In this retreat, Gen. O'Hara was wounded in the arm, and taken priſoner.

The combined loſs on this occaſion, is ſtated at 430 killed, wounded, priſoners, and miſſing.

After the above affair, the French made three different attacks on a fort near Toulon, and were repulſed with loſs.

Letters by this day's poſt from New-York inform, that an armed veſſel has arrived there from Halifax, with the Britiſh December mail—that the packet left Falmouth the 20th of that month—that none of the French fleet had been captured by Lord Howe—that Toulon at the date of the laſt accounts received in England was ſafe—and that Lord Rawdon was at Jerſey.

Engliſh papers to the 16th December it is ſaid, are received by the Packet.

The Baltimore papers of the 14th and 15th inſtants do not inform of any arrival at Annapolis, from France.

FROM CORRESPONDENTS.

The opening the doors of a certain Body, has confirmed the apprehenſions which were entertained of the ariſtocratic ſpirit, which was ſuſpected to lurk there. The members of that *honorable* body, are thought by *ſome*, to be admiſſible, like the *Peers of Great-Britain*, to declarations on their *honor*, while the *plebeians* of other legiſlative bodies, muſt depoſe on *oath*—Such a patrician idea is novel in this country.

It is a maxim in free countries, that in all judicial diſcuſſions, both parties ſhould be heard—*audi alteram partem*—What ſhould we think of a tribunal, which after hearing one ſide, ſhould *propoſe* to ſtop the other, from deriving his arguments from the ſame ſource, as thoſe to which they were intended as a reply. It is hoped, none ſuch, will ever exiſt in this country.

SHIP NEWS.

Captain Fitzpatrick ſaw 36 ſail of the line, Britiſh fleet, cruizing off the Lizard.

Captain Lee left at Bordeaux about 100 ſail of American veſſels—a liſt of which follows:

Prudence, Miller, Philadelphia; Peter, Wall, New-York; Hope, Chadwick, Marblehead; Maria, Church, New-York; Carolina, Wilder, Charleſton; Pallas, Wells, Boſton; Fame, Fraſer, ditto; Fanny, Perry, Charleſton; Fame, Borland, Boſton; Molly, Johnſton, Georgetown; Nymph, Webb, Philadelphia; Baring, Cooper, do. Minerva, Snell, ditto; Merchant, Jones, Portland; Mary, Jones, Boſton; Favorite, Orne, Portſmouth; Somerſet, Miller, New-York; Elizabeth, Cliff, Boſton; America, Ewing, Philadelphia; Lally, Collins, Boſton; George, Prowſe, Portſmouth; Molly, Farrell, Philadelphia; Commerce, Prebble, Portland; Agnes, Wells, Charleſton; Harmony, Rengler, ditto; Thomas, Revell, ditto; Vauture, March, Newburyport; Preſident, Carhart, Philadelphia; Hannah, Ruſſell, Newburyport; Maryland, Davis, G. Town; Diana, Emery, Boſton; Sans Souci, Croizer, Peterſburg; Maſſachuſetts, White, Boſton; Zephyr, Pepper, ditto; Speedwell, Crawford, Warren; Diana, Peaſe, Boſton; Columbia, Sote, Freeport; Nancy, Gerriſh, Newburyport; Ruſſel, Reed, Charlſton; Union, Johnſton, Briſtol, Maſſachuſetts; Deux Fres, Greenleaf, Maſſachuſetts; Nancy, Weſt, Salem; Carolina Planter, White, Charleſton; Franklin, Wilbridge, Freeport; Louiſa, Morgan, York-Town; Eliza, Worſley, Boſton; Patuxent Planter, Dorſet, Nottingham; Neptune, White, Pownalboro; Thomas Wilſon, Goeſet, Philadelphia; Richmond, Lee, Richmond; Lydia, Gardner, Sherburn; Bethia, Bramble, Peterſburgh; Good Friends, Elliſon, Philadelphia; Harmony, Oſman, ditto; Two Pollys, Fairchilds, Savannah; Favorite, Lewis, Boſton; Sterling, Clement Dras, ditto; Hope, Butman, Charleſton; Ruby, Dexter, Maſſachuſetts; Hariett, Bentley, Providence; Friendſhip, Bokhouſe, New-York; Hector, Barker, Philadelphia; James, Palmer, PerthAmboy; Polly, Carter, Newburyport; Cumberland, Scott, Portland; Minerva, Cutts, Pepperalboro; Minerva, Allen, Baltimore; Pattern, Blackington, Pownalboro, Deux Soeurs, Pike, Boſton; Rambler, Miner, Charleſton; Nancy, Sargent, Glouceſter; Anne, Coleman, Sherburne; Harmony, Alcorn, Philadelphia; John, Pollard, New-York; Hannah, Springer, Pittſon; Catherine, Teer, New-York; Aurora, Seward, Kennebunk; Connecticut, Little, New-Haven; Liberty, Fields, Rhode-Iſland; Union, Milligan, Charleſton.

Extract of a letter from Capt. Edw. Rice, of the ſhip America, dated Texel, Dec. 22.

"*We have received certain intelligence of the following veſſels being captured by the Algerines.*"

Ship Preſident, Penroſe	*Philadelphia*
Thomas, Newman,	*Boſton*
Brig Jane, Morſe,	*Marblehead*
Schooner Diſpatch, Wallace,	*Peterſburg*
Brig Minerva, Shaw,	
Polly, Smith,	
Olive Branch, Hamilton,	
George, Taylor,	
Jay, Calder,	
Hope, Burnham,	

A correſpondent offers the following queries:——What advantage reſults to our Merchants from having their property, ſhipped for this country in Britiſh Dutch, Swediſh, or other foreign bottoms, captured at our doors?

What advantage reſults to our Farmers, from having foreign bottoms, which come to lade with and carry off the produce of their farms and plantations, captured at our doors?

☞ *As the Editor has repeatedly been ſubjected to poſtage on the Letters of perſons, who have in that way applied to purchaſe the Fount of Long Primmer which he has for ſale—thoſe who wiſh to buy thoſe types, are informed that the price is twenty cents per pound, caſh—to be paid at their delivery—the fount weighs about 250lb.*

☞ *Propoſals having been publiſhed laſt autumn, for continuing the Gazette of the United States as an half weekly paper, in conjunction with a daily paper, frequent applications (poſtage unpaid) are made by perſons at a diſtance for the former—but as the terms propoſed on that occaſion were not complied with, the plan of an half weekly paper is relinquiſhed.*

PHILADELPHIA, February 13, 1794.

PROPOSALS

For printing by Subſcription,
A Work, to be entitled,
THE FIRST VOLUME OF

Pennſylvania State Trials.

THE want of ſufficient information of the ſtate trials of Great-Britain in the early periods of that government is now lamented: Hitherto there hath been but one trial in the ſtate of Pennſylvania on impeachment:—and here alſo it is to be regretted, that, being neglected at the time, the public are now left without ſufficient information on the ſubject of that trial, it is however in this work deſigned to reſcue what can be collected thereof from ſources of indiſputable authority, ſo that the ſame ſhall be preſerved from oblivion.

Another impeachment and the ſecond is now depending. An officer is charged by the late Houſe of Repreſentatives, who hath for many years been largely confided in by this ſtate, and hath long been at the head of the financial department of the ſame, and it imports the citizens to know his conduct, and the circumſtances which may be brought forward on his trial.

In this work the Editor will be careful to ſtate the facts, as they may be brought forward, and to lay all the evidence and papers before the public.—With this view—

The following Terms are reſpectfully ſubmitted to the Public:

I. The Work ſhall be printed in octavo, with a good type, on fine paper, and delivered to ſubſcribers at the reſpective places where the ſubſcriptions are taken in, as ſoon as the work ſhall be compleated.

II. As no conjecture can well be made, as to the length of the preſent trial, the ſize of the volume cannot be aſcertained at this time—But the price ſhall not exceed that of ſome of the lateſt publications in this city.

III. It will contain all the preliminaries and incidental circumſtances that may occur during the trial of John Nicholſon, Eſquire, Comptroller-General of this commonwealth, with the arguments of counſel on both ſides, together with the articles of impeachment, and the pleas and replications at large, the ſeveral reſolutions of the two branches of the ſtate Legiſlature, reſpecting this impeachment, and the final deciſion of the SENATE reſpecting that officer.

To which will be prefixed, as much as can be collected from authentic documents, of the impeachment, trial, and acquital of the late Francis Hopkinſon, Eſquire, Judge of the Court of Admiralty for the ſtate of Pennſylvania, during the late war, never before publiſhed.

No money will be required before the delivery of the book.

Subſcriptions will be received by Francis Bailey, No. 116, High-ſtreet: Wrigley and Berriman, No. 149, Cheſnut-ſtreet, and by the different bookſellers in this city; Jacob Bailey, Lancaſter; Yundt and Patton, Baltimore, and by the Editor.

EDMUND HOGAN.

N. B. The price will be enhanced to non-ſubſcribers.

JAMES LEACH,

RESPECTFULLY informs his friends and the public, That from the encouragement he has received, from several respectable Gentlemen, he is induced once more, to embark in the PAPER LINE—and would offer his services to all those Gentlemen, who can place confidence in him, and he assures those who employ him, that their confidence shall not be misplaced;—but it shall be his constant endeavor, to pay the strict attention to their best interest, in all negociations whatever. He has taken the Chamber, in *State-Street*, over Mr. *David Townsend*, Watch-Maker's Shop.——Where PUBLIC SECURITIES, of all kinds, are bought and sold; and where Commission Business of all kinds, will be transacted on reasonable terms. HOUSES and VESSELS will be constantly exposed for sale, on commission.

*** Cash paid for Salem, Providence, and Portsmouth BILLS.

N. B. *If any Gentleman in Philadelphia, or New-York, has any Business to transact at Boston, in Paper Negotiations, he will be happy to be employed on commission.*

Boston, Jan. 24, 1794.

To be Sold at Public Vendue,

On FRIDAY the 11th day of April next, at the house of *John Thomson*, in Perth-Amboy,

The Proprietary House AND LOT OF LAND,

IN THAT CITY.

THE Lot contains eleven acres, on which is an orchard of grafted apple trees, a well of excellent water, a large stone cistern, and a very commodious stable and coach-house, and a great quantity of the best building stones in the walls of the house, which was formerly built for the residence of the Governors of New-Jersey. The situation of this Lot is so well known for its healthiness and beautiful prospect of the Raritan river to the west of the bay, and Sandy-Hook to the east, that a further description is unnecessary. The conditions of sale will be, one third of the purchase money to be paid on the first day of May next, when a good and sufficient Deed will be given to the purchaser, by WALTER RUTHERFURD, Esq. President of the Board of Proprietors of the Eastern Division of New-Jersey, and the remaining two thirds satisfactorily secured in equal annual payments.

By order of the Board.

JAMES PARKER, Register.

Perth-Amboy, February 5, 1794. 2awam

War Department.

January 30th 1794.

INFORMATION is hereby given to all the military invalids of the United States, that the sums to which they are entitled for six months of their annual pension, from the fourth day of September 1793, and which will become due on the 5th day of March 1794, will be paid on the said day by the Commissioners of the Loans within the states respectively, under the usual regulations.

Applications of executors and administrators must be accompanied with legal evidence of their respective offices, and also of the time the invalids died, whose pension they may claim.

By command of the President of the United States,

H. KNOX,
Secretary of War.

☞ The printers in the respective states are requested to publish the above in their newspapers for the space of two months.

January 30. d2m

JUST PUBLISHED,
AND SOLD BY
H. & P. RICE, No. 50, Market-street, also, by BENJAMIN JOHNSON, No. 147, Market-street,
(Price, bound, 6s6½)

Paul and Mary,

AN INDIAN STORY.

TO WHICH IS ADDED,

The Indian Cottage

From the French of M. de St. PIERRE.

"THE above Stories have been lately published, amongst the works of a very different nature, by M. de St. Pierre, who resided in the country which it describes, and was well acquainted with the principal facts. Its ornaments are the Landscape—the Climate—and the natural history of the Torrid Zone, observed with the eye of Taste, and delineated with the eye of Philosophical knowledge. It is a Pastoral, of which the fable and the machinery may be said to be equally real. To these are added, the pure vein of Moral Instruction, and the Sublime Ideas of M. de St. Pierre."

Feb. 1. d4t

JUST PUBLISHED,
AND FOR SALE BY
M. Carey, No. 118, *High-street*,

The PROMPTER;

COMMENTARY on COMMON SAYINGS and SUBJECTS, which are full of COMMON SENSE, the best sense in the world.

THIS little book is written in a stile altogether novel, and is adapted to all capacities, as well as to all classes of people, merchants, mechanics and farmers. Such a reputation has this work acquired, that it has passed thro three impressions in the eastern states, and many housekeepers deem it so useful as to purchase a copy for every adult in their families.——PRICE 2s.

February 4. dtf

NORRIS-COURT,
Back of the New Library, between Chesnut and Walnut-Streets.

George Rutter,

RESPECTFULLY informs his friends and the public in general, that he continues carrying on the business of

Sign and Fire-Bucket Painting,
Likewise, JAPANNED PLATES,

for doors or window-shutters, done in the most elegant manner, and with dispatch.

Orders from the country will be thankfully received, and duly attended to.

December 30, dtf

Just Imported,
From LONDON, DUBLIN and GLASGOW,
And now opening for sale, by
MATHEW CAREY,
At No. 118, Market street,
A Large and Valuable
COLLECTION OF BOOKS,
Among which are the following:

NEW Annual Register for 1792
European Magazine for the first six months of 1793
Gibbons decline and fall of the Roman Empire
Memoirs of the Manchester society, 3 vols.
Priestly on matter and spirit
on christianity
Disney's life of Dr. Jortin
Kingville's ancient geography
D'Anoirs of Guy Joli
Memty, a collection of essays
Varieof Prussia's works
Calm observer—by Mackintosh
Russell's ancient and modern Europe
Langhorne's Plutarch
Elegant extracts, superbly gilt
Elegant extracts of natural history
Saugnier and Brisson's voyage
Rochon's voyage to Madagascar
Townsend's travels in Spain
Tasso's Jerusalem delivered
Smellie's translation of Buffon
Berwick's history of quadrupeds
Buffon abridged
History of birds
Philips's history of inland navigation
Hooper's rational recreations
History of France, in 3 vols.
Curiosities of literature, 3 vols.
Whitaker's defence of queen Mary
Sheridan's dictionary, 2 vols.
Dow's history of Hindostan
Sketches of the Hindoos
Key to polite literature.
Imlay's description of Kentucky
Present state of Nova-Scotia
Present state of Hudson's Bay
Preston on masonry
Lavater on physiognomy, abridged
Zimmerman's survey
Murphy's life of Dr. Johnson
Necker on executive power
Kisses of Secundus
Gallery of portraits
Volney's ruins of empires
——— Travels
Vaillaint's travels, with superb engravings
Downman's infancy
Adair's history of American Indians
Benington on materialism and immaterialism
Berchold's advice to patriotic travellers
Builder's magazine
Complete farmer
Chandon's life of Voltaire
De Non's travels
Franklin's life and works
Grozier's description of China
Murphy's translation of Tacitus
Godwin on political justice
Gazetteer of France, 3 vols.
Helvetius on man
Kaimes's sketches of the history of man
Liberal opinions, or the history of Benignus
Mawe's gardener's dictionary
Noble's memoirs of the Cromwell family
Playhouse dictionary
Reveries of solitude
Smith's theory of moral sentiments
Stackhouse's history of the bible
Watson's life of Philip IId. & IIId.
Wonders of nature and art, 6 vols.
Wanley's wonders of the little world, called man
Wall's on the prevention of diseases
Moore's journal in France
Cox's travels into Denmark, Russia, Poland, &c.
Cox's travels into Switzerland
Rabant's history of the French revolution
Life of Lord Chatham
Mallet's northern antiquities
Motherby's medical dictionary
Grigg's advice to females
Hamilton's outlines of the practice of midwifery
Manning's practice of physic
Cleghorn's diseases of Minorca
Innes on the muscles
Pott's works
Fourcroy's chemistry
Armstrong on diseases of children
Quincy's dispensatory
Edinburgh dispensatory
Lewis's dispensatory
Ryan on the asthma
Robertson's treatise on fevers
Lee's botany,
Leake on the viscera
Leake on diseases of women
Nicholson's chemistry
Gardiner on the animal economy
Lewis's Materia Medica
Fordyce on digestion
Withering on the fox glove
Lind on the diseases of heat
Monro on diseases of armies
Haller's physiology
Spalanzane's dissertations
London practice of physic
Bell's surgery
Chaptal's chemistry.

Peale's Museum,

HAS Lately received a number of articles; among which are the following: That remarkable bird called the Cut-water, or scissars-bill; The Avosette, commonly called the Shoe-maker, because of its bill resembling a crooked awl—The Long-legs, commonly called the Black-bet, having perhaps the longest legs, in proportion to the size of the bird, of any of the feathered tribe—The Storm-finch, commonly called mother Cary's chicken—The Sea-swallow, and various Gulls; besides a variety of Cranes, Curlews, Snipes, &c.

The scull of a Whale and one of its Vertebres.

An Indian hatchet made of chrystal: It is curious that those uninformed wild people, having very little knowledge of the arts, and being ignorant even of the existence of iron and steel, should be able to form such hard substances into fanciful forms as this, and other Indian manufactures now in the Museum.

A lignified Quince: The specimen shews what a remarkable effect a dry warm situation has on fruit. It is now about 8 years since it was gathered; and it was a real quince, now become wood, at least in appearance.

Presented by Mrs. Manson of Charlestown, S. C.—a tool used by the Otaheitans in making their bark cloth, by pounding the bark on this instrument of wood, it produces the ribs which resemble threads: the perfectly straight and equal lines made in this extreme hard wood, by men without the use of iron, are curious & wonderful.

Also, a rope made of grass, part of the rigging of a vessel of Kamskatka.

Presented by Dr. Hall, of Lewis-town, a Squib in spirits: when this fish was found, a number of stones were appended to strings or ligaments that projected from the front of its head, which occasioned a conjecture, as it is not furnished with sufficient fins to resist the violence of the tide and currents, that it fastened with these ligaments on whatever it found at the bottom; so that the stones answered the purpose of anchors and the ligaments of a glutinous sticky nature, that of cables. Some of the stones are in the same phial.

A collection of Minerals and other Fossils are now displayed in drawers covered with glass and in a mode which will secure them from derangement. To each specimen are affixed references to a book of descriptions. This management of specimens of the Fossil kingdom, renders this part of the Museum very convenient and satisfactory, and great attention will be paid to the systematical order of them, and in making the necessary essays of each: Also in giving in a concise manner, the various uses they are applied to; thereby rendering them the more interesting to the public.

A Living Elk, of 2 years old, is just received. By the account which monsr. Buffon gives of the Elk, it appears that he was not acquainted with this American animal; he particularly omits all notice of the curious apertures adjoining the eyes of this Elk.

George Bringhurst,

COACH-MAKER,

In Mulberry (Arch) between Fourth and Fifth Streets, adjoining the Episcopal burying-ground,

TAKES this opportunity of returning his grateful thanks to his former employers, and requesting their future favors, as well as those of the public in general.

He continues to make and repair at the shortest notice, all kinds of pleasure carriages, such as coaches, chariots, phætons with and without crane necks, coachees, chaises, kittereens, windsor sulkeys and chairs, and harness of every description, in the neatest and newest fashion now prevailing in the United States.

And as he has a quantity of the best seasoned wood by him, and capital workmen, he has not the least doubt but he will be able to give satisfaction to those who please to employ him.

He has for sale, several carriages almost finished, such as coachees, an Italian windsor chair, hung on steel springs, a light phæton for one or two horses, and a sulkey with a falling top.

Carriages sold on Commission.

Philadelphia, Jan. 6, 1794. m&t3m

Notice is hereby given,

THAT the subscriber has been duly appointed Administratrix on the estate of his Excellency JOHN HANCOCK, Esq. late of Boston, in the county of Suffolk, deceased, and has taken upon herself that trust, by giving bonds as the law directs—and all persons interested, are desired to take notice accordingly.

DOROTHY HANCOCK.

Boston, Nov. 13, 1793.

Take Notice.

ALL persons who have any demands against the Estate of his late Excellency JOHN HANCOCK, Esq. deceased, are requested to exhibit the same to the Subscriber, Attorney to the Administratrix of said Estate: And all persons who stand indebted to said Estate, are requested to settle with him *immediately*; as the Act of Limitation of Actions, which is to take place on the first day of December next, will otherwise render it necessary for him to commence suits against them.

JOSEPH MAY, Attorney to the Administratrix.

Boston, Nov. 13, 1793.

N. B The Printers throughout this Commonwealth, are requested to insert this in their respective newspapers, and forward their accounts for the same, to J. M

Bank of the United States.

January 6th, 1794.

NOTICE is hereby given, that there will be paid at the Bank, after the sixteenth instant, to the Stockholders or their representatives, duly authorized fifteen dollars and fifty cents for each share, being the dividend declared for the last six months.

By Order,
JOHN KEAN, Cashier.

3w

ALL persons having any demands against the estate of GEORGE WIBLE, late of the city of Philadelphia, baker, are requested to bring in their accounts, properly authenticated; and those who are indebted, are desired to make immediate payment.

HENRY REES, Administrator.

January 13. 2aw3w.

Encyclopedia, Vol. X.

JUST PUBLISHED,
By THOMAS DOBSON,
Bookseller, at the Stone House, in Second-street Philadelphia.
VOLUME X. OF
ENCYCLOPEDIA; or DICTIONARY Of Arts, Sciences, and Miscellaneous Literature, on a Plan entirely new;
BY WHICH
The Different Sciences and Arts, *are digested into the form of* Distinct Treaties or Systems:

THIS volume contains principles of Levels, Liberty, Doctrine of Light, Lightning, Locks, Logarithms, Logic, History of London, Longitude, Luther, Lydia, Macedon, Madagascar, Magic, Magnetism, Malts, History of Man, Marriage, Mary, Maryland, Masonry, Materia Medica, Meadow, Mechanics, with a great variety of Biographical and Miscellaneous articles, illustrated with TWENTY TWO COPPERPLATES.

As a number of families are still in the country, and it is not generally known who are returned. T. Dobson, solicits the favor of the subscribers to call or send for their volumes, that they may be supplied as early as possible.

The TENTH VOLUME of the Encyclopedia is now presented to the public; but as it makes its appearance in an imperfect state, some account of the reason of that imperfection should be given. On the 8th of September last, the Publisher had the misfortune of having his Printing Office burnt down by a fire which broke out in the neighbourhood, and a great quantity of his printing materials destroyed, and among other articles, the FIGURES, with which he was printing the TABLES OF LOGARITHMS, belonging to the present volume, were melted down by the violence of the fire. As a supply of these could not be immediately obtained, he was under the necessity of publishing the volume without these TABLES; but hopes he shall be able to publish them with the next volume which is now in considerable forwardness.

The Publisher embraces this opportunity of expressing his grateful acknowledgments to the generous public, for the very liberal patronage with which his undertaking has been honored; at the same time he takes the liberty of representing to such of the subscribers as are in arrears, the indispensible necessity of punctuality, both in taking up the volumes as early as possible after publication, and of paying for them when taken. Many of the subscribers having got only one, two, three, &c. volumes, and several volumes remain UNPAID. Thus the work hangs in all its different stages from the commencement; and though the importance of a few dollars may be but a trifle to the individuals, yet the accumulation of these trifles UNPAID lays the Publisher under very serious embarrassment, and deprives him of the use of many Thousands of Dollars which at this time would be of very essential service. For these reasons the Publisher finds himself under the necessity of recurring to the original terms of publication, and in future no volumes will be delivered but only to those who take and pay to the time of publication.

December 10. 2awtfJ.

Excellent CLARET,

In hogsheads and in cases of 50 bottles each.
ALSO,
A few cases Champaigne Wine;
MADEIRA,
In pipes, hogsheads and quarter casks,
FOR SALE BY
JOHN VAUGHAN,
No. 111, South Front street.

Jan. 2, 1794. dtf

☞ *Terms of Subscription for this Gazette, are* Six Dollars *per annum—to be paid half-yearly. Subscriptions of persons who reside at a distance from the city, to be twelve months in advance, or payment to be guaranteed at the place of publication.*

Advertisements of one square, or less, inserted four times for One Dollar—*once, for* Fifty Cents—*and continuations at* Twenty Cents *each—those of greater length in proportion. Favors in this line, and Subscriptions, will be gratefully received at the Office in South Fourth-street, five doors north of the Indian Queen*

PHILADELPHIA:
PRINTED BY JOHN FENNO, No. 3, South Fourth-Street.